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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,417	03/13/2001	Arlyn Asch	EHELP.002A	2141

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03/16/2004

Patric J Rawlins
Procopio Cory Hargreaves & Savitch LLP
530 B Street Suite 2100
San Diego, CA 92101-4469

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 03/16/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,417

Applicant(s)

ASCH ET AL

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11, 14, 16, 20 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,311,422 issued to Loftin et al (hereafter Loftin).

Claim 11:

Loftin discloses a system for improving a computer executed application having an associated help system [col 4, lines 37-41], comprising:

- an application server [trainee model 50, Fig 1A] configured to execute an application having a plurality of discrete contexts [*request for help from the training system, Figs 2A-2G, col 12 lines 3-18*] the application further comprising a user interface [Fig 1A, 40] and an associated help system [Fig 1A],
- a help server [*blackboard 60, Fig 1A, 60*] configured to execute the help system associated with the application, wherein the help server is communicatively coupled with the application server via a data communication network [*Fig 1A*] and wherein the help server comprises:
 - a data storage area [text database, object oriented database, Fig 1A];

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- a context identifier module [*requesting help regarding how to perform a task col 14, lines 38-67*] configured to determine the discrete context of the application during which help was requested by the user;
- a recording module [*record trainee-actions, col 14, lines 48-58*] configured to store in the data storage area the total number of help requests for the discrete context identified by the context identifier module, and
- a reporting module [*formatted trace of the session, col 10, lines 16-25*] configured to compile a report, wherein the report identifies the total number of usage of the help system requests for at least two discrete contexts of the application

Claims 14 and 20:

Loftin discloses a requested help topic [col 14, lines 38-67];

Claim 16:

Loftin discloses a method for improving a computer executed application having an associated help system, comprising:

- receiving via a data communication network a request for electronic help from an application, wherein the application has a plurality of discrete contexts [*request for help from the training system, Figs 2A-2G, col 12 lines 3-18*];
- determining the discrete context of the application from which the request for electronic help was generated [*requesting help regarding how to perform a task col 14, lines 38-67*];
- incrementing a count of electronic help requests for the discrete context [*record trainee-actions, col 14, lines 48-58*] and

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- providing a report comprising the relative frequency of help requests for at least two discrete contexts of the application [*formatted trace of the session, col 10, lines 16-25*]

Claim 21:

Loftin discloses a method for improving a software application configured to complete a transaction, the software application comprising a series of data entry fields and having an associated electronic help system, the method comprising:

- receiving a request for electronic help from a user of the software application [*request for help from the training system, Figs 2A-2G, col 12 lines 3-18*];
- identifying the current data entry field at the time the request for electronic help was made [*requesting help regarding how to perform a task col 14, lines 38-67*];
- incrementing a count of electronic help requests for the identified data entry field [*col 16, lines 1-6*]
- compiling a report comprising the total number of electronic help requests for each data entry field in the series of data entry fields to identify the data entry field where electronic help is most often requested [*formatted trace of the session, col 10, lines 16-25*]

Claim Rejections - 35 USC § 103

Claims 1-3, 6, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loftin in view of Pub No US 2001/0042000 issued to DeFoor (hereafter DeFoor).

Claim 1:

Loftin discloses:

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- receiving a request for electronic help from a user wherein the website has a plurality of discrete contexts [*request for help from the training system, Figs 2A-2G, col 12 lines 3-18*]
- determining the context where at the time electronic help was requested [*requesting help regarding how to perform a task col 14, lines 38-67*];
- incrementing a count of electronic help requests, wherein the electronic help request is associated with the discrete context [*record trainee-actions, col 14, lines 48-58*];
- compiling a report, wherein the report identifies an aggregate number of help requests for at least two discrete contexts [*formatted trace of the session, col 10, lines 16-25*]

Loftin discloses the elements of claim 1 as noted above.

Loftin fails to disclose a website

DeFoor discloses a website [paragraph 30]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Loftin to include a website as taught by DeFoor.

The ordinarily skilled artisan would have been motivated to modify Loftin per the above for the purpose of increasing accessibility of the training site.

Claim 2:

Loftin discloses modifying the discrete context of the website with the highest number of help requests to reduce the number of help requests received during the discrete context [Fig 4, col 14, lines 23-38].

Claim 3:

Loftin disclose collecting usage data from the electronic help [col 14, lines 48-58];

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Claims 6 and 10:

Loftin discloses a requested help topic [col 14, lines 38-67];

Claim 7:

Loftin discloses a plurality of discrete contexts and an associated help system [col 14, lines 38-67], a tracking module adapted to receive a request for electronic help from a user and determine the discrete context when help was requested [col 14, lines 48-58], a recording module adapted to record the total number of electronic help requests for each discrete context [Fig 4, 30, 40, col 14, lines 48-67], and a reporting module adapted to compile a report usage of the comprising the total number of help requests for at least two discrete contexts [Fig 4, 30, 40, col 14, lines 48-67].

Loftin discloses the elements of claim 7 as noted above.

Loftin fails to disclose a website

DeFoor discloses a website [paragraph 30]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Loftin to include a website as taught by DeFoor.

The ordinarily skilled artisan would have been motivated to modify Loftin per the above for the purpose of increasing accessibility of the training site.

Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Loftin and DeFoor and further in view of US Pat No 6,177,932 issued to Galdes et al (hereafter Galdes).

Claims 4 and 8:

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The combination of Loftin and DeFoor discloses the elements of claims 1, 3 and 7 as noted above.

The combination of Loftin and DeFoor fails to disclose wherein said usage data includes a user browser type.

Galdes discloses wherein said usage data includes a user browser type [col 3, lines 48-56]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Loftin and DeFoor to include wherein said usage data includes a user browser type as taught by Galdes.

The ordinarily skilled artisan would have been motivated to modify the combination of Loftin and DeFoor per the above for the purpose of providing a user interface to the Internet.

Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Loftin and DeFoor and further in view of US Pat No 6,208,338 issued to Fisher et al (hereafter Fischer).

Claims 5 and 9:

The combination of Loftin and DeFoor discloses the elements of claims 1, 3 and 7 as noted above.

The combination of Loftin and DeFoor fails to disclose a user network address.

Fischer discloses a user network address [col 4, lines 47-58].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Loftin and DeFoor to include a user network address as taught by Fisher.

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The ordinarily skilled artisan would have been motivated to modify the combination of Loftin and DeFoor per the above for the purpose of being directed to a particular website.

Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loftin in view of Galdes.

Claims 12 and 18:

Loftin discloses the elements of claims 11 and 16 as noted above.

Loftin fails to disclose wherein said usage data includes a user browser type.

Galdes discloses wherein said usage data includes a user browser type [col 3, lines 48-56]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Loftin to include wherein said usage data includes a user browser type as taught by Galdes.

The ordinarily skilled artisan would have been motivated to modify Loftin per the above for the purpose of providing a user interface to the Internet.

Claims 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Loftin in view of Fisher.

Claims 13 and 19:

Loftin discloses the elements of claims 11 and 16 as noted above.

Loftin fails to disclose a user network address.

Fischer discloses a user network address [col 4, lines 47-58].

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Loftin include a user network address as taught by Fisher.

The ordinarily skilled artisan would have been motivated to modify Loftin per the above for the purpose of being directed to a particular website

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loftin

Claim 17:

Loftin discloses the elements of claim 16 as noted above.

Loftin fails to disclose modifying the discrete context of the application having the highest relative frequency.

However, Loftin discloses an evaluator [col 5, lines 3-10] and an intelligent computer-aided training system having a general modular architecture whereby new training scenarios are designed uniquely for each trainee every time the specific trainee interacts with the system [col 5, line 65 through col 6, line 2].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lofting to include

The ordinarily skilled artisan would have been motivated to modify Loftin per the above for the purpose of decreasing the complexity of the training exercise so that the trainee can repeat an exercise in order to reduce the frequency of errors.

Response to Arguments

Applicant's arguments filed 1/14/2004, with respect to claims 1-4 and 16-21 have been considered but are moot in view of supra new ground(s) of rejection.

Conclusion

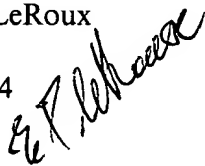
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux

3/12/2004

A handwritten signature in black ink, appearing to read 'Etienne LeRoux', is written over the typed name and date.